

IN THE UNITED STATES DISTRICT OF TEXAS  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

CATALINA ZUNIGA HERRERA, §  
INDIVIDUALLY AND AS THE §  
REPRESENTATIVE OF THE ESTATE OF §  
JORGE ALEJANDRO GONZALEZ §  
ZUNIGA DECEASED AND JOHANA §  
ACUNA ACOSTA, INDIVIDUALLY AND §  
AS NEXT FRIEND FOR J. A. G., *a minor*, §  
*Plaintiffs,* §

V §

STEVEN FARIAS, MARCO GUERRERO, §  
JORGE CABRERA AND JULIO TREVINO §  
*Defendants.* §

CIVIL ACTION NO. 7:20-CV-00257  
JURY TRIAL REQUESTED

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DECLARATION OF RAYMOND L. THOMAS

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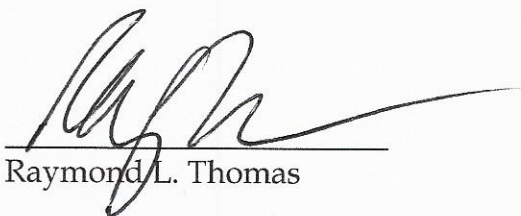
STATE OF TEXAS §  
§  
HIDALGO COUNTY §

I, Raymond L. Thomas, declare under penalty of perjury that the foregoing is true and correct.

I am lead counsel for Jorge Cabrera, who is a named defendant in the above-referenced suit. On December 16, 2020, under my supervision, my paralegal searched the records of the Hidalgo County Statutory Probate Court through the online portal maintained by the Hidalgo County District Clerk's Office, which is accessible at <https://pa.co.hidalgo.tx.us/default.aspx>. This online portal enables one to search probate filings in Hidalgo County through use of a party's name. Using the name of Jorge Alejandro Zuniga Gonzalez ("Decedent"), we searched the online portal and my search only located one case-namely, *In the Estate of Jorge Alejandro Gonzalez Zuniga, Deceased*, which has been assigned cause number P-40343 and is pending in the Hidalgo County Probate Court ("the probate cause").

Attached to this declaration are true and correct copies of (1) the probate court's online docket sheet as of December 16, 2020, which is maintained by the Hidalgo County District Clerk; and (2) pertinent court filings from the probate cause. After reviewing the probate cause's records, we found no document indicating that Catalina Zuniga Herrera has been appointed, or has even applied to be, an executor or administrator of Decedent's estate. The probate cause's records reflect that only a Danielle Saenz, who alleges to be Decedent's aunt, has applied to be appointed as an independent administrator of Decedent's estate.

Executed on December 16, 2020.



Raymond L. Thomas

# REGISTER OF ACTIONS

[CASE No. P-40343](#)

Estate of Jorge Alejandro Zuniga Deceased

§  
§  
§  
§  
§

Case Type: **Administration - Independent (OCA)**  
Date Filed: **11/03/2020**  
Location: **Probate Court**

## PARTY INFORMATION

<b>Applicant</b>	<b>Saenz, Danielle</b>	<b>Attorneys</b> <b>CELINDA BAEZ GUERRA</b> <i>Retained</i> 210-828-5641(W)
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**Decedent** **Zuniga, Jorge Alejandro**

## EVENTS & ORDERS OF THE COURT

	<b>OTHER EVENTS AND HEARINGS</b>
11/03/2020	<a href="#">Application/Probate (OCA)</a> <i>Application for Letters Admin</i>
11/04/2020	<a href="#">Citation Issued</a>
11/06/2020	<a href="#">Application/Probate (OCA)</a> <i>APPL TO DETERMINE HEIRSHIP</i>
11/06/2020	<a href="#">Waiver</a> <i>No Fee Documents</i>
11/06/2020	<a href="#">Waiver</a> <i>Waiver and Renunciation JAG</i>
11/06/2020	<a href="#">Waiver</a> <i>Waiver of Citation and Notice Johana</i>
11/06/2020	<a href="#">Waiver</a> <i>Waiver of Citation and Notice JAG</i>
11/16/2020	<a href="#">Motion (Probate) (OCA)</a> <i>Motion (No Fee)</i>
11/16/2020	<a href="#">Proposed Order</a> <i>Proposed Order</i>
11/16/2020	<a href="#">Citation Returned Served</a> <i>POSTING ADMIN</i>
11/18/2020	<a href="#">Citation Issued</a> <i>posting</i>
11/18/2020	<a href="#">Citation Issued</a> <i>BY PUBLICATION</i>
11/18/2020	<b>Clerk's Entry</b> <i>OCA WEBSITE</i>
11/30/2020	<a href="#">Citation Returned Served</a>
12/01/2020	<a href="#">Citation Returned Served</a>
12/01/2020	<a href="#">Publisher's Affidavit</a>
12/04/2020	<a href="#">Citation Returned Served</a> <i>PUBLICATION OCA WEBSITE</i>

## FINANCIAL INFORMATION

	<b>Applicant</b> Saenz, Danielle		
	Total Financial Assessment		410.00
	Total Payments and Credits		410.00
	<b>Balance Due as of 12/16/2020</b>		<b>0.00</b>
11/03/2020	Transaction Assessment		317.00
11/03/2020	EFile Payments from TexFile	Receipt # 2020-011343 Saenz, Danielle	(317.00)
11/09/2020	Transaction Assessment		87.00
11/09/2020	EFile Payments from TexFile	Receipt # 2020-011545 Saenz, Danielle	(87.00)
11/16/2020	Transaction Assessment		6.00
11/16/2020	EFile Payments from TexFile	Receipt # 2020-011815 Saenz, Danielle	(6.00)



**P-40343**

**No. \_\_\_\_\_**

**IN THE ESTATE OF**

**JORGE ALEJANDRO GONZALEZ ZUNIGA,**

**DECEASED**

**§ IN THE PROBATE COURT**

**§**

**§ NO.**

**§**

**§ HIDALGO COUNTY, TEXAS**

**APPLICATION FOR LETTERS OF ADMINISTRATION**

DANIELLE SAENZ, ("Applicant") furnishes the following information to the Court concerning the Estate of JORGE ALEJANDRO GONZALEZ ZUNIGA ("Decedent") for the appointment of an Administrator and issuance of Letters of Administration:

1. Applicant, DANIELLE SAENZ, an individual interested in this Estate, being domiciled in and residing in Texas. DANIELLE SAENZ's address for service of citation is 531 Earling Road, Alamo, Texas 78516. DANIELLE SAENZ, is entitled to Letters of Administration, is not disqualified by law and is the Aunt of the Decedent. The last three digits of the social security number of DANIELLE SAENZ, are 418. The last three digits of the driver's license number of DANIELLE SAENZ, are 950.

2. Decedent died intestate on July 15, 2020 in Edinburg, Hidalgo County, Texas, at the age of 23 years.

3. It is necessary and in the best interest of the Estate for the Court to determine who are the heirs and only heirs of Decedent.

4. This Court has jurisdiction and venue because Decedent was domiciled in Texas and had a fixed place of residence in this County on the date of his death.

5. Decedent owned personal property described generally as personal effects of a probable value in excess of \$500.00.

**P-40343**

6. The name, address, relationship to the Decedent, and marital status of each heir to the Decedent is:

<b>Name and Residences</b>	<b>Relationship</b>	<b>Community Property</b>	<b>Separate Personal Property</b>	<b>Separate Real Property</b>
JOHANA ACUNA ACOSTA 302 S. Doolittle Road, Apt. 241 Edinburg, Texas 78542	Wife	100%	1/3%	1/3% (Life estate with remainder Interest to Child)
J.A.G. c/o Johana Acuna Acosta as Next Friend 302 S. Doolittle Road, Apt. 241 Edinburg, Texas 78542	Son	0%	2/3%	2/3%

7. All the heirs of the Decedent desire the having of and Independent Administration. It is further agreed that the Applicant, DANIELLE SAENZ, shall serve as the Independent Administrator of this Estate.

8. The heirs further request that no other action be had in the probate court/county court in relation to the settlement of the Decedent's estate other than as required by law in that no bond be required to be filed.

9. At the time of his death, Decedent was married by common law, to wife, JOHANNA ACUNA ACOSTA. Decedent was never divorced.

10. There is one child born to or adopted by Decedent and his common law wife, JOHANNA ACUNA ACOSTA, his name is J.A.G.

11. To the best of my knowledge, Decedent died intestate.

12. A necessity exists for the administration of this Estate.

13. There is no need for the appointment of appraisers.

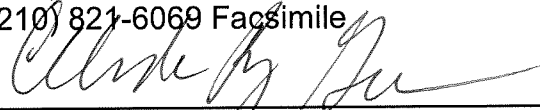
14. This application does not omit any information required by the Texas Probate Code, Section 49.

**P-40343**

WHEREFORE, Applicant prays that citation be issued as required by law to all persons interested in this Estate; that Applicant be appointed as Independent Administrator of this Estate; that Letters of Independent Administration be issued to DANIELLE SAENZ, that appraisers not be appointed; that upon hearing hereof this Court determine who are the heirs and only heirs of the Decedent and their respective shares and interest in the Estate and that all other Orders be entered as the Court may deem proper.

Respectfully submitted

FLUME LAW FIRM, LLP  
1020 N.E. Loop 410, Suite 530  
San Antonio, Texas 78209  
(210) 828-5641  
(210) 821-6069 Facsimile



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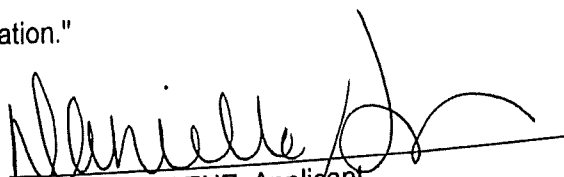
ATTORNEYS FOR APPLICANT  
DANIELLE SAENZ

P-40343

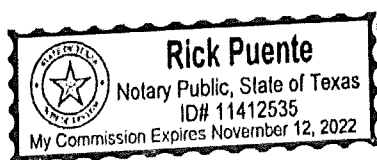
STATE OF TEXAS           §  
                                     §  
COUNTY OF BEXAR       §


BEFORE ME, the undersigned authority on this day personally appeared  
DANIELLE SAENZ, Applicant, and after being duly sworn, stated that:

"Insofar as is known to me, all the allegations of the foregoing Application are true  
in substance and in fact and that no material fact or circumstance has, within my  
knowledge, been omitted from the Application."

  
DANIELLE SAENZ, Applicant

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by  
DANIELLE SAENZ, Applicant, on this 2<sup>nd</sup> day of November, 2020, to certify which  
witness my hand and seal of office.



  
Notary Public, State of Texas



No. P-40343

IN THE ESTATE OF

JORGE ALEJANDRO GONZALEZ ZUNIGA,

DECEASED

§ IN THE PROBATE COURT

§  
§ NO.

§  
§ HIDALGO COUNTY, TEXAS

**APPLICATION TO DETERMINE HEIRSHIP**

The Applicant, DANIELLE SAENZ, furnishes the following information to the Court,  
concerning the Estate of JORGE ALEJANDRO GONZALEZ ZUNIGA

1. JORGE ALEJANDRO GONZALEZ ZUNIGA, ("Decedent") died on July 15, 2020 Edcouch, Hidalgo County, Texas, at the age of 23 years.
2. An Application for Independent Administration is pending upon Decedent's Estate. It is necessary and in the best interest of the Estate for the Court to determine who are the heirs and only heirs of Decedent.
3. The Court has jurisdiction and venue is proper because this is the court in which a proceeding administering Decedent's Estate as most recently pending.
4. The names and residences of all the Decedent's heirs pursuant to the Texas Estates Code § 22.004 and § 201.054 and, the relationship of each heir to Decedent, and the true interest of the Applicant and of each of the heirs in the Estate of Decedent are as follows:

Name and Residences	Relationship	Community Property	Separate Personal Property	Separate Real Property
JOHANA ACUNA ACOSTA 302 S. Doolittle Road, Apt. 241 Edinburg, Texas 78542	Wife	100%	1/3%	1/3% (Life estate with remainder Interest to Child)
J.A.G. c/o Johana Acuna Acosta as Next Friend 302 S. Doolittle Road, Apt. 241 Edinburg, Texas 78542	Son	0%	2/3%	2/3%

5. At the time of Decedent's death, Decedent owned the following property:

Description

Personal

Clothing

Valued in excess of \$500.00


6. Decedent was married by common law to JOHANA ACUNA ACOSTA at the time of his death.
7. One child was born to or adopted by Decedent and his common law wife, JOHANA ACUNA ACOSTA, and his names is J.A.G.
8. All children born to or adopted by Decedent have been listed. Each marriage of Decedent has been listed.
9. To the best of my knowledge, Decedent died intestate.
10. This Application does not omit any information required by the Texas Estates Code, § 202.004, 202.005, 202.007 and 202.008, except as follows: None.
11. There are no debts owed by Decedent that are not secured by liens upon real estate and there is a necessity for an administration of this Estate.
12. This Application contains all of the material facts and circumstances within the knowledge and information of the applicant that might reasonably tend to show the time or place of death or the names or residence of all heirs, if the time or place of death or the names or residences of all the heirs are not definitely known to the Applicant, except as follows: None.

Applicant prays that citation issue as required by law; that an attorney ad litem be appointed to represent the interests of heirs whose names and/or locations are unknown and any incapacitated heir upon a finding that the appointment is necessary to protect the interests of that heir; that upon hearing hereof, this Court determine who are the heirs and

only heirs of the Decedent and their respective shares and interest in the Estate; and that a necessity exists for an Administration of Decedent's Estate.

Respectfully submitted,

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1020 N.E. Loop 410, Suite 530  
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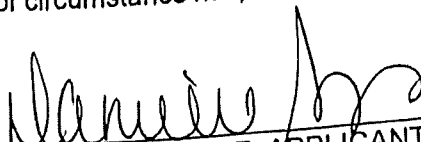
ATTORNEYS FOR APPLICANT,  
DANIELLE SAENZ

STATE OF TEXAS       §

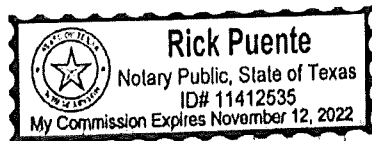
COUNTY OF BEXAR       §

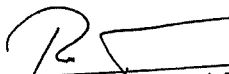
BEFORE ME, the undersigned authority on this day personally appeared DANIELLE SAENZ, Applicant for the Estate of JORGE ALEJANDRO ZUNIGA GONZALEZ, and after being duly sworn, stated that:

"Insofar as is known to me, all the allegations of the foregoing Application are true in substance and in fact and that no material fact or circumstance has, within my knowledge, been omitted from the Application."

  
DANIELLE SAENZ, APPLICANT

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, by DANIELLE SAENZ, Applicant for the Estate of JORGE ALEJANDRO ZUNIGA GONZALEZ, on this 2nd day of November, 2020, to certify which witness my hand and seal of office.



  
Notary Public in and for the State  
of Texas